



October 26, 2006

Bret Martine
Studio JAED
20 E. Division Street
Dover, DE 19901

RE: PLUS review – PLUS 2006-09-16; Milford School District – Simpson's Crossing

Dear Mr. Martine:

Thank you for meeting with State agency planners on October 3, 2006 to discuss the feasibility of a school site on a 20 acre portion of a 183 acre farm located on the west side of US 113, South of State Route 36 in Milford.

Please note that changes to the plan, other than those suggested in this letter, could result in additional comments from the State. Additionally, these comments reflect only issues that are the responsibility of the agencies represented at the meeting. The developers will also need to comply with any Federal, State and local regulations regarding this property. We also note that as the City of Milford is the governing authority over this land, the developers will need to comply with any and all regulations/restrictions set forth by the City.

The following are a complete list of comments received by State agencies:

Office of State Planning Coordination – Contact: David Edgell 739-3090

This proposed school site is located in Investment Level 1 according to the *Strategies for State Policies and Spending*. Investment Level 1 reflects areas that are already developed in an urban or suburban fashion, where infrastructure is existing or readily available, and where future redevelopment or infill projects are expected and encouraged by State

policy. This site is also located within the City of Milford. Public facilities, such as schools, are desirable in Investment Level 1 areas where they are located near infrastructure, public services, and the populations they serve. The State supports this location for new school construction.

Division of Historical and Cultural Affairs – Contact: Alice Guerrant 739-5685

The State Historic Preservation Office would support the use of this parcel in Level 1 as a school site. Nothing is known within this parcel. Beers Atlas of 1868 shows two C. I. Gilbert houses, one named Wisihikon, in or near to the northern edge of the parcel. There may be archaeological resources associated with these houses. There are areas of high potential for prehistoric archaeological sites along the southern end of the parcel. There are a number of early to mid-20th-century houses on the west, north, and east sides of this parcel.

Small, rural, family cemeteries often are found in relation to historic farm complexes, such as the Gilbert houses, usually a good distance behind or to the side of the house. The district is aware of Delaware's Unmarked Human Remains Act of 1987, which governs the discovery and disposition of such remains. The unexpected discovery of unmarked human remains during construction can result in significant delays while the process is carried out, and the district may want to hire an archaeological consultant to check for the possibility of a cemetery here. The DHCA would have to have a copy of any archaeological report done for this purpose. They will be happy to discuss these issues with the developer; the contact person for this program is Faye Stocum, 302-736-7400.

If this site is chosen, the DHCA would like to review the site plan, to determine if there are areas that they would want to examine for archaeological sites prior to any ground-disturbing activities.

Department of Transportation – Contact: Bill Brockenbrough 760-2109

- 1) This site would use part of the land proposed for development as the Simpson's Crossing development. Previously, DelDOT reviewed a traffic impact study for that development. A copy of the recommendations are enclosed. They would not anticipate changing those recommendations significantly if a school were added to the development, and support the addition of a school to the development plan.

- 2) If this site is selected, the District's site engineer should contact the Subdivision Manager for Sussex County, Mr. John Fiori, regarding specific requirements for access. Mr. Fiori may be reached at (302) 760-2260.

The Department of Natural Resources and Environmental Control – Contact: Kevin Coyle 739-9071

Recommendation for Feasibility

The Sussex County soil survey indicates the presence of well-drained and a very poorly-drained soil mapping units. The well-drained soil mapping units are represented by the Sassafras and Rumford soil series, while the very poorly-drained soil mapping unit is represented by the Johnston soil series. Most of the soils mapped on this parcel are well-drained Sassafras and Rumford soils.

Based on Statewide Wetland Mapping Project (SWMP) maps, a headwater riparian wetland is mapped in the extreme southeastern corner of subject parcel, closely reflecting the occurrence of the mapped Johnston soils.

Since this parcel has relatively few environmental constraints for development, and is located within an Investment level 1 designated growth zone where the State fully supports development, this parcel would be feasible for development.

Water Supply

The project information sheets state water will be provided to the project by the City of Milford via a central water system. Our records indicate that the project is located within the public water service area granted to the City of Milford under Certificate of Public Convenience and Necessity 91-CPCN-09.

Should dewatering points be needed during any phase of construction, a dewatering well construction permit must be obtained from the Water Supply Section prior to construction of the well points. In addition, a water allocation permit will be needed if the pumping rate will exceed 50,000 gallons per day at any time during operation.

All well permit applications must be prepared and signed by licensed water well contractors, and only licensed well drillers may construct the wells. Please factor in the necessary time for processing the well permit applications into the construction schedule. Dewatering well permit applications typically take approximately four weeks to process, which allows the necessary time for technical review and advertising.

Should you have any questions concerning these comments, please contact Rick Rios at 302-739-9944.

Sediment and Erosion Control/Stormwater Management

Infiltration appears to be a viable option for stormwater management for the northern portion of this site. A thorough investigation of the site soils along with infiltration testing at proposed pond locations is recommended very early in the design process. All infiltration facilities must have a location for discharge of any overflow runoff that cannot be infiltrated. Investigate whether a location for discharge of overflow into a storm drain system exists in the city streets to the north of the project.

Drainage

The Drainage Program requests that the engineer take precautions to ensure the project does not hinder any off site drainage upstream of the project or create any off site drainage problems downstream by the release of on site storm water. The Drainage Program requests that the engineer check existing ditches and pipes for function and blockages prior to the construction. Notify downstream landowners of the change in volume of water released on them.

Forest Preservation

At the time the application for Simpson Farm Subdivision (PLUS 2004-07-13) was submitted, there were 46 acres of forest on this parcel. The site plan depicted a subdivision that would result in large scale tree clearing and direct wetland impacts. It is unclear from the current application if there are no longer any trees on this parcel or if they plan to locate the school on a portion of the parcel that is non-forested. A forested area and wetlands adjacent to a school can be an asset to school activities and curriculum and we strongly encourage the applicant to preserve the trees (if they still exist) and maintain 100-foot wetland buffers. In addition, Delaware has lost nearly 20,000 acres of forest to development since 2002 and forest loss is responsible for the population decline of many forest dwelling species.

Nuisance Waterfowl

If stormwater management ponds are utilized on the school site, they could attract waterfowl like resident Canada geese and mute swans. High concentrations of waterfowl in ponds create water-quality problems, leave droppings on lawn and paved areas and can become aggressive during the nesting season. Short manicured lawns around ponds provide an attractive habitat for these species. We recommend native plantings of tall

grasses, wildflowers, shrubs, and trees at the edge and within a buffer area (50 feet) around the perimeter. Waterfowl do not feel safe when they can not see the surrounding area for possible predators. These plantings should be completed as soon as possible as it is easier to deter geese when there are only a few than it is to remove them once they become plentiful. In addition, these ponds should not be located adjacent to athletic fields. The Division of Fish and Wildlife does not provide goose control services, and if problems arise, the school district will have to accept the burden of dealing with these species (e.g., permit applications, costs, securing services of certified wildlife professionals). Solutions can be costly and labor intensive; however, with proper landscaping, monitoring, and other techniques, geese problems can be minimized.

Underground Storage Tanks

There is one inactive LUST site(s) located near the proposed project:

Lynch Heights Mobil, Facility #1-000182, Facility # K8511021

No environmental impact is expected from the above inactive/active LUST site(s). However, should any underground storage tank or petroleum contaminated soil be discovered during construction, the Tank Management Branch must be notified as soon as possible. It is not anticipated that any construction specifications would need to be changed due to petroleum contamination. However, should any unanticipated contamination be encountered and PVC pipe is being utilized, it will need to be changed to ductile steel with nitrile rubber gaskets in the contaminated areas.

State Fire Marshal's Office – Contact: Duane Fox 856-5298

This Agency has no objection to the feasibility request. The information provided below shall be considered when plans are being designed.

These comments are intended for informational use only and do not constitute any type of approval from the Delaware State Fire Marshal's Office. At the time of formal submittal, the applicant shall provide; completed application, fee, and three sets of plans depicting the following in accordance with the Delaware State Fire Prevention Regulation (DSFPR):

- a. **Fire Protection Water Requirements:**
 - Water distribution system capable of delivering at least 1000 gpm for 1-hour duration, at 20-psi residual pressure is required. Fire hydrants with 800 feet spacing on centers.

- Where a water distribution system is proposed for (Educational) sites, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants and sprinkler systems.

b. **Fire Protection Features:**

- All structures over 10,000 sq.ft. aggregate will require automatic sprinkler protection installed.
- Buildings greater than 10,000 sq.ft., 3-stories or more, over 35 feet, or classified as High Hazard, are required to meet fire lane marking requirements
- Show Fire Department Connection location (Must be within 300 feet of fire hydrant), and detail as shown in the DSFPR.
- Show Fire Lanes and Sign Detail as shown in DSFPR

c. **Accessibility:**

- All premises, which the fire department may be called upon to protect in case of fire, and which are not readily accessible from public roads, shall be provided with suitable gates and access roads, and fire lanes so that all buildings on the premises are accessible to fire apparatus. This means that the access road to the subdivision from South Walnut Street must be constructed so fire department apparatus may negotiate it.
- Fire department access shall be provided in such a manner so that fire apparatus will be able to locate within 100 ft. of the front door.
- Any dead end road more than 300 feet in length shall be provided with a turn-around or cul-de-sac arranged such that fire apparatus will be able to turn around by making not more than one backing maneuver. The minimum paved radius of the cul-de-sac shall be 38 feet. The dimensions of the cul-de-sac or turn-around shall be shown on the final plans. Also, please be advised that parking is prohibited in the cul-de-sac or turn around.
- The use of speed bumps or other methods of traffic speed reduction must be in accordance with Department of Transportation requirements.
- The local Fire Chief, prior to any submission to our Agency, shall approve in writing the use of gates that limit fire department access into and out of the development or property.

d. **Gas Piping and System Information**

- Provide type of fuel proposed, and show locations of bulk containers on plan.

e. Required **Notes**:

- Provide a note on the final plans submitted for review to read “ All fire lanes, fire hydrants, and fire department connections shall be marked in accordance with the Delaware State Fire Prevention Regulations”
- Proposed Use
- Alpha or Numerical Labels for each building/unit for sites with multiple buildings/units
- Square footage of each structure (Total of all Floors)
- National Fire Protection Association (NFPA) Construction Type
- Maximum Height of Buildings (including number of stories)
- Note indicating if building is to be sprinklered
- Name of Water Provider
- Letter from Water Provider approving the system layout
- Provide Lock Box Note (as detailed in DSFPR) if Building is to be sprinklered
- Provide Road Names, even for County Roads

Preliminary meetings with fire protection specialists are encouraged prior to formal submittal. Please call for appointment. Applications and brochures can be downloaded from our website: www.delawarestatefiremarshal.com, technical services link, plan review, applications or brochures.

Department of Agriculture - Contact: Scott Blaier 698-4500

The Delaware Department of Agriculture has no objections to the proposed school site, as it is located within Investment Levels 1 and 2 under the *Strategies for State Policies and Spending*.

Public Service Commission - Contact: Andrea Maucher 739-4247

Any expansion of natural gas or installation of a closed propane system must fall within Pipeline Safety guidelines. Contact: Malak Michael at (302) 739-4247.

Department of Education – Contact: John Marinucci 739-4658

1. The DOE supports locating school facilities on parcels with existing or reasonable access to civil infrastructure to include but not limited to:
 - Roads, pedestrian walkways and shared use paths
 - Waste water/sewerage and domestic water
 - Electric, and telecommunications

- Storm water drainage and conveyance

School sites with public water and sewer utilities or access to public water and sewer utilities are recommended by DOE over sites requiring on-site facilities. Because it is within the incorporated city limits of the City of Milford, this school site appears to offer access to adequate public civil utilities.

2. The DOE supports the State Strategies for Policies and Spending. When considering school facility locations, the DOE considers proximity and access to basic support services as a high priority.

The school location under consideration appears to be within the City of Milford incorporated limits and as a result basic support service levels will reflect a commensurate level of service associated with incorporated local jurisdiction.

3. The DOE supports locating school facilities strategically within the geographic region and/or community the facility is intended to serve in order to:
 - Encourage non-student pedestrian access to the school facility in an effort to reduce vehicle miles traveled to the extent practical
 - Encourage student pedestrian access to the school facility, in order to contain the school's life-cycle operating costs associated with student transportation, as practicable
 - Create education campuses by co-locating educational facilities and services in an effort to reduce life-cycle costs as a result of the co-located schools sharing common spaces, facilities and services.

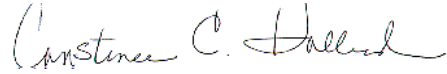
The school location under consideration appears to be strategically located geographically within the community it is intended to serve. This site also encourages pedestrian access to the site and potential school.

4. As a result, the DOE *supports* this site as a potential school site for the Milford School District.

The comments in this letter are offered as advisory comments to help the school district determine the feasibility of this property for a school site. If the district chooses to move forward with this site, the Budget Office, the Department of Education, and the State Planning Office would need to approve this location. In addition, the site plan for the proposed school would need to be reviewed through the Preliminary Land Use Service (PLUS).

Thank you for the opportunity to review this project. If you have any questions, please contact me at 302-739-3090.

Sincerely,

A handwritten signature in cursive script that reads "Constance C. Holland".

Constance C. Holland, AICP
Director

CC: City of Milford
Kent County